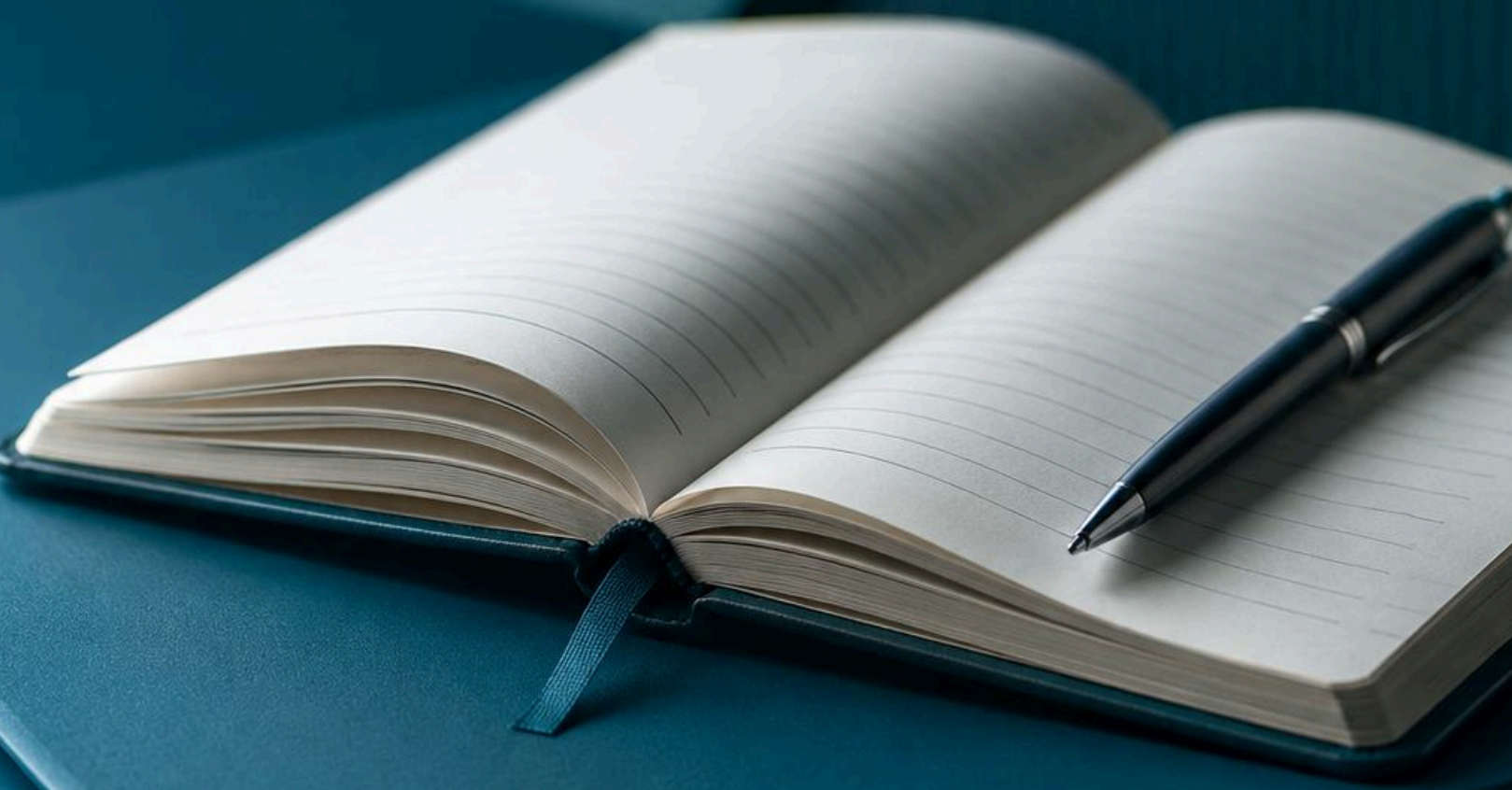


REVIEW OF DRAFT LAW ON ADULT EDUCATION



This document was developed by Mikael Andersson within cooperation with the Polaris Programme 'Supporting Multilevel Governance in Ukraine'. The Programme is funded by the Government of Sweden through the Swedish International Development Cooperation Agency (Sida) and is implemented by SALAR International – part of the Swedish Association of Local Authorities and Regions (SALAR), which represents the association in international activities.

May 2026

TABLE OF CONTENTS

Executive summary	5
Introduction	7
Acknowledgments	8
Disclaimer	8
About the author	8
1. Analytical framework	9
1.1 Norm hierarchy, legislative design and system coherence	9
1.2 Allocation of responsibility, governance and regulatory balance	10
1.3 Financing logic and long-term sustainability	11
1.4 Legal status of participants and legal certainty	11
1.5 Prioritisation mechanisms under resource constraints	11
1.6 Report focus	12
1.7 Methodological delimitations	13
2. Swedish reference framework	14
2.1 Architecture and regulatory logic	14
2.2 Institutional architecture	15
2.3 Objectives, structure and outcomes of Swedish adult education	15
2.3.1 Municipal adult education	15
2.3.2 Higher vocational education	16
2.3.3 Non-formal adult education	16
3. Overview of the draft Law on Adult Education	17
3.1 Context of adult education reform in Ukraine	17
3.2 Objectives and guiding principles	18
3.3 Scope of the law	19
3.4 Institutional framework	19
3.5 Financing structure	20
3.6 Target groups and special measures	20
3.7 Relationship to the general Education Law	20
4. Norm hierarchy, legislative design and system coherence	22
4.1 The draft Law on Adult Education	22
4.2 Comparison: Law on Vocational Education	23
4.3 Swedish reference	23
4.4 Structural reflection	24
5. Allocation of responsibilities, governance and regulatory balance	25

5.1 The draft Law on Adult Education	25
5.2 Comparison: Law on Vocational Education	26
5.3 Swedish reference	26
5.4 Structural reflection	26
6. Financing structure and system sustainability	28
6.1 The draft Law on Adult Education	28
6.2 Comparison: Law on Vocational Education	28
6.3 Swedish reference	29
6.4 Structural reflection	29
7. Legal status of participants	30
7.1 The draft Law on Adult Education	30
7.2 Comparison: Law on Vocational Education	30
7.3 Swedish reference	31
7.4 Structural reflection	31
8. Prioritisation under limited resources	32
8.1 The draft Law on Adult Education	32
8.2 Comparison: Law on Vocational Education	32
8.3 Swedish reference	32
8.4 Structural reflection	33
Concluding remarks	34
Possible factors behind the appearance of the draft law	34
Consistent consequences	34
Possible measures	35
Long term structural observations	35
Appendix. Ukrainian adult education and European integration (Lilia Hrynevych, Taras Danko)	37

EXECUTIVE SUMMARY

The Draft Law on Adult Education in Ukraine establishes an ambitious framework for adult education, including broad objectives, a general right to access, and a comprehensive definition of the system's components. However, the legal and institutional architecture required to operationalize these ambitions remains incomplete. The main challenges identified are structural rather than technical and affect multiple parts of the system simultaneously. Five structural criteria are systematically applied to review the draft law:

1. Norm hierarchy and legislative design

The position of the draft law within the broader legal system is not clearly defined. It does not establish how it relates to the overarching Law on Education or to adjacent legislation such as labour law and sector-specific education laws.

At the same time, the law introduces an implicit conflict rule by limiting the extent to which other legislation may restrict provider rights, without clarifying how such conflicts should be resolved.

Delegation to subordinate regulation is extensive, but the law does not specify the content or limits of delegated powers. As a result, key elements of the system are left to be determined outside primary legislation, reducing legal certainty.

2. Governance and allocation of responsibilities

The law identifies a wide range of central and sub-national actors and assigns them functions. However, it does not clearly define how these roles relate to each other.

Coordination mechanisms are not specified, and overlapping competences are not resolved. This applies both at the central level, where multiple authorities operate within the same policy space, and at the sub-national level, where responsibilities are distributed across several tiers without clear differentiation.

Provider autonomy is broadly defined, while external oversight mechanisms are limited and unevenly applied. This creates uncertainty regarding the balance between autonomy and accountability.

3. Financing and system sustainability

The draft law outlines possible sources of funding but does not establish a coherent financing model. The right to adult education is formulated in binding terms, but corresponding financing obligations are not defined. Funding depends largely on discretionary budget decisions, and no allocation principles, minimum standards or formula-based mechanisms are introduced.

The absence of a clear link between rights and resources creates uncertainty regarding the practical enforceability of the system.

4. Legal status of participants

The law establishes a general right to adult education and includes extensive non-discrimination provisions. However, it does not clearly define the conditions under which this right can be exercised.

Procedural safeguards are limited. The law does not provide clear mechanisms for appeal, review or complaint handling. In addition, the use of contractual arrangements between providers and participants may lead to variation in the practical scope of rights. Recognition of non-formal and informal learning is foreseen but largely left to subordinate regulation, without defined criteria or procedures in the law itself.

5. Prioritization under resource constraints

The draft law adopts a universal approach to access but does not establish mechanisms for prioritization when demand exceeds available resources.

While programme-based financing allows authorities to prioritize certain areas of provision, there are no statutory criteria for selecting individual participants. As a result, allocation decisions are likely to vary across providers and regions.

The Ukrainian Law on Vocational Education demonstrates that more explicit structuring of hierarchy, delegation and procedural guarantees is feasible within the national legal context. The Swedish framework illustrates an alternative model in which coherence is achieved through differentiation between distinct forms of adult education, each governed by its own regulatory logic, combined with clearly defined responsibilities and structured delegation. These two examples may be used for redesign of the Draft Law on Adult Education in Ukraine.

The present review identifies a single underlying structural issue of the draft Law on Adult Education in Ukraine: the extensive use of delegation without clearly defined parameters. This affects all five analytical dimensions and results in uncertainty regarding hierarchy, governance, financing, participant rights and prioritization. The draft law therefore functions as a framework in form, but relies on future regulation and implementation to resolve key operational questions.

Improving the draft law does not primarily require revising its objectives or scope. Instead, it requires strengthening its legal architecture by:

- clarifying its position within the legislative hierarchy
- defining the scope and limits of delegated regulation
- introducing basic procedural guarantees
- strengthening coordination and responsibility allocation mechanisms

Addressing these issues would enhance legal certainty while preserving flexibility and would increase the likelihood that the law can function effectively in practice.

INTRODUCTION

Adult education is rapidly becoming one of most important and challenging sectors of Ukrainian education. When the Russian Federation's war of aggression against Ukraine is over, the time will come for massive reconstruction using new technologies and new skills. The perspective of European integration will require acquiring new skills and working habits by many groups of Ukrainian citizens, as well as building new institutions. The return of veterans into civil life will create a need to help them merge their organizational and technical competencies with skills less relevant in the military, such as legal practices, accounting, business planning and similar. The challenges are enormous.

At the same time, the legal basis for developing and steering adult education is sorely lacking. The sector is not and never was regulated by a dedicated law. A new Law on Education from 2027 for the first time defined adult education and created a need for a sectoral law. Such a law is clearly very much needed within the Ukrainian legal framework for education. Ukraine begun intensive work to develop it and process it in Verkhovna Rada, but unfortunately before Russian aggression of February 2022 this work reached only the stage of adoption in the first reading. Further work on finalization of this draft law was then discontinued. It is high time to return to this draft document, to redesign it in view of current requirements, and to conclude this temporarily abandoned legislative effort. Besides regulating a diverse sector of education, catering to the needs of different groups of Ukrainian citizens, the law should also establish just instruments of financing of life-long learning from the national budget.

Recently, adoption of the law on adult education has become one of conditionalities for further budget support to Ukraine from the European Union. Under Pillar II (Structural reforms and economic transformation) of the Ukraine Facility Ukraine Plan, specifically the chapters on human capital development, education and skills, and labour market resilience, Ukraine is required to adopt and implement a comprehensive Law on Adult Education as a reform benchmark. It is expected that the adjusted draft law will be adopted before the end of calendar year 2026.

The Ministry of Education and Science of Ukraine, as the architect of Ukrainian education and the central authority responsible for developing the legal framework of the sector, has requested the support of the Swedish-Ukrainian Polaris Programme: Supporting Multilevel Governance in Ukraine, funded by Sweden Agency for International Development Sida, and implemented by SALAR International. The request concerned preparation of an independent, critical and balanced review of the draft law of 2022, with suggestions for further steps. The present report is this requested review, submitted to the Ministry by Polaris Programme to help prepare and adopt a Law on Education.

The report focuses on fundamental issues of the draft law, and not on article-by-article review. Chapter 1 provides the analytical framework adopted. Chapter 2 presents the relevant elements of the Swedish experience of regulating adult education. The history and contents of the draft law are the subject of chapter 3. In the following five core chapters, the draft law is analysed considering key criteria of norm hierarchy and system coherence (chapter 4), allocation of responsibilities and regulatory balance (chapter 5), legal status of participants (chapter 6), financing system and sustainability (chapter 7), and prioritisation under limited resources (chapter 8). These criteria are defined and discussed in chapter 1. The final chapter offers concluding remarks and suggestions for next steps. The Annex, prepared by Lilia Hrynevych and Taras Danko, discusses adult education in Ukraine in perspective of EU integration.

The present report was prepared under the short term contract with Polaris Programme.

ACKNOWLEDGMENTS

Technical and professional support of Liliia Hrynevych, Jan Herczynski, and Taras Danko is gratefully acknowledged. In particular, I extend my thanks to Liliia and Taras for writing the Annex.

DISCLAIMER

The opinions and comments of the present report are author's own and do not represent official positions of the Swedish Government, of Sida, or of Polaris Programme.

ABOUT THE AUTHOR

Mikael Andersson is a Swedish expert in education policy, with a particular focus on adult education and vocational education and training (VET). He has extensive experience as project manager and senior expert in the fields of adult education, lifelong learning systems, skills supply, digitalisation in education, and distance and flexible learning. Mr Andersson participated in multiple research and enquiry projects initiated by Swedish ministries and national agencies. The work spans strategic advisory policy development, investigations and system-level reform in the public education sector.

1. ANALYTICAL FRAMEWORK

This chapter defines the analytical criteria applied throughout the report. The framework identifies structural criteria that determine whether a publicly financed and legally regulated adult education system can translate legislative ambition into operational reality. These criteria are not derived from a single national model. They reflect structural challenges common to adult education systems where the state plays a central role in financing, regulation and quality assurance. The criteria used are:

- Norm hierarchy, legislative design and system coherence
- Allocation of responsibility, governance and regulatory balance
- Financing logic and long-term sustainability
- Legal status of participants and legal certainty
- Prioritisation mechanisms under resource constraints

The analysis is applied to three laws. The primary subject is the Draft Law on Adult Education (Cabinet of Ministers version, adopted in first reading January 2023). Each component is assessed against the Law on Vocational Education (No. 4574-IX, adopted August 2025, as amended by Law No. 4681-IX of November 2025), which serves as an internal Ukrainian reference, demonstrating the range of structural choices available within the domestic legislative context.

The Swedish legal framework for adult education provides an external reference, illustrating how comparable systems address the same structural challenges. An overview of the Swedish framework appears in Chapter 5, before the component analysis begins.

Making these criteria explicit gives the report a common logic and a shared vocabulary. Each of the five analytical chapters (Chapters 4 to 8) follows the same structure: an assessment of the draft law against the component in question, a comparison with the Law on Vocational Education, a reference to the Swedish framework, and a structural reflection drawing together the main findings.

The criteria are ordered to reflect their logical relationship. Norm hierarchy and system coherence establish the constitutional and legislative parameters within which the system operates. The allocation of responsibility and governance determine who does what. Financing determines what is materially possible. The legal status of participants defines the relationship between the individual and the system. Prioritisation mechanisms address how the system responds when demand exceeds capacity. Together, these constitute an institutional architecture that determines whether a framework law functions in practice.

1.1 NORM HIERARCHY, LEGISLATIVE DESIGN AND SYSTEM COHERENCE

Adult education systems operate within multi-layered regulatory frameworks. Primary legislation establishes overall objectives, institutional structures, fundamental rights and allowed procedures. Subordinate legislation like ordinances, regulations and government decisions translates these into operational requirements including required documentation. If primary legislation is too detailed, it becomes rigid and adjustments require parliamentary amendment. If it is too general, essential questions are deferred to subordinate legislation in ways that create implementation gaps.

The challenge is to find a distribution that provides legal certainty at the statutory level while preserving the flexibility a system needs to respond to changing labour market conditions and demographic shifts.

Adult education legislation does not operate in isolation. It intersects with general education law, labour market regulation, social policy, higher education legislation and, in many systems, separate regulatory regimes for vocational training and professional development for example, required in-service training. System coherence concerns how the adult education framework relates to this broader legal landscape. Three dimensions matter:

1. Vertical coherence concerns whether the framework law aligns with constitutional provisions and overarching education legislation, and whether the hierarchy of norms is clear.
2. Horizontal coherence concerns whether the boundaries between the adult education framework and adjacent regulatory regimes — vocational education, higher education, labour law — are sufficiently defined to avoid overlap, gaps or conflicting obligations.
3. Internal coherence concerns whether the law's own provisions are mutually consistent, and whether the stated objectives align with the institutional mechanisms established to achieve them.

Incoherence at any of these levels creates legal uncertainty, complicates implementation and may generate disputes about jurisdiction, responsibility or entitlement. This matters most for a new framework law that must establish its position within an existing and complex legal order. The analytical question applied to the draft law is whether the distribution between primary and subordinate legislation is appropriately calibrated, whether delegation mechanisms are sufficiently precise, and whether the law sits coherently within the broader regulatory system.

1.2 ALLOCATION OF RESPONSIBILITY, GOVERNANCE AND REGULATORY BALANCE

A framework law must determine who is responsible for what. In adult education systems with public financing, this typically involves at least three levels of governance: the state, which handles policy formulation, financing and supervision; regional or municipal authorities, which manage provision, implementation and local adaptation; and education providers, which handle delivery, quality assurance and pedagogical design.

The clarity of responsibility allocation across these levels has direct consequences for accountability and efficiency.

The law should also define who is and who is not a provider of adult education. This includes specifying the legal status of providers and the criteria under which an entity qualifies as such. Provider status is structurally significant. It determines the ability to deliver educational services within the system and to access public funding.

Closely related is the question of regulatory balance between autonomy and oversight. Providers need institutional autonomy to respond to local needs and adapt their pedagogical approaches. At the same time, public financing requires accountability such as licensing, quality assurance, inspection and reporting.

Too little autonomy produces rigidity and administrative burden. Too little oversight risks inconsistent quality and the misuse of public resources.

The allocation of responsibility and the autonomy-oversight balance are treated as a single governance dimension throughout this report, because in practice they are inseparable. The analytical question is whether the governance model of the draft law establishes clear lines of responsibility while calibrating the balance between provider autonomy and state oversight in a way that is both normatively explicit and operationally sustainable.

1.3 FINANCING LOGIC AND LONG-TERM SUSTAINABILITY

The financing structure of an adult education system is not merely a budgetary matter. It is a structural component of the legal architecture. The credibility of declared rights and stated objectives depends on whether the financing framework can sustain them. A law that establishes a right to education without a corresponding financing obligation creates a gap between legal promise and institutional reality.

Several dimensions are analytically relevant. The legal status of funding commitments determines whether they constitute binding obligations or aspirational statements. The allocation mechanism determines whether financing is predictable and transparent or dependent on annual political decisions. The relationship between levels of government determines whether the law establishes co-financing arrangements and defines the respective shares. The link between declared rights and available resources determines whether the law acknowledges the tension between ambition and capacity and whether it provides mechanisms for managing that tension.

In systems undergoing reconstruction or major reform, financing sustainability is particularly critical. Initial political will and international support may provide resources in the short term. The legal architecture, however, must be designed to function under normal budgetary conditions. The analytical question is whether the financing framework of the draft law is structurally aligned with the law's declared ambitions and provides a basis for long-term system sustainability.

1.4 LEGAL STATUS OF PARTICIPANTS AND LEGAL CERTAINTY

The legal relationship between the individual and the adult education system is a defining feature of any regulatory framework. At its most basic, the question is whether participation constitutes a legally enforceable right, a conditional entitlement or a policy-level aspiration. The answer has direct consequences for the individual's ability to claim access, challenge decisions and rely on the system's commitments.

Legal certainty here involves several elements: clarity of eligibility criteria, transparency of admission procedures, predictability of the conditions under which education will be provided, and access to appeal mechanisms when decisions are contested. Most adult education systems combine rights-based access with discretionary elements. And where they do, the boundaries between the two must be clearly drawn.

A related dimension is the legal status of learning outcomes. Where a framework law covers formal, non-formal and informal education, the legal standing of qualifications and recognition procedures becomes a question of legal certainty for the individual. If the law establishes mechanisms for recognising non-formal and informal learning, the criteria, procedures and institutional responsibilities for that recognition must be clear enough to be operationally meaningful. The analytical question is whether the draft law creates a legally predictable relationship between the individual and the system across these dimensions.

1.5 PRIORITISATION MECHANISMS UNDER RESOURCE CONSTRAINTS

No adult education system operates without resource constraints. When demand exceeds capacity, as it inevitably does in systems serving large and heterogeneous adult populations, some form of prioritisation is necessary. The structural question is where and how that prioritisation is established in the legal architecture.

Prioritisation takes different forms. It may be explicit. The law then defines which groups or individuals have priority access when resources are insufficient. It may be implicit through its financing mechanisms or institutional arrangements and channels resources toward certain populations without naming them. It may also be delegated, with the law leaving prioritisation decisions to subordinate legislation or administrative discretion.

Each approach involves trade-offs. Explicit prioritisation provides legal clarity but may reduce flexibility. Implicit targeting preserves universalist principles but can lack transparency. Delegation maintains political flexibility but risks legal uncertainty and inconsistent application. In contexts where specific populations face acute needs, such as veterans, displaced persons, individuals whose education was disrupted by conflict, the question of whether the law provides a legal basis for reaching them is not abstract. The analytical question is whether the draft law's approach to prioritisation is structurally coherent and provides a sufficient legal basis for allocating resources when demand exceeds supply, particularly given the reconstruction context.

1.6 REPORT FOCUS

The report is organised around a single guiding question:

To what extent does the draft law provide a sufficiently clear and sustainable legal architecture to support its declared strategic ambitions?

The question is framed in two parts because the analytical task is to examine the relationship between them rather than to evaluate either in isolation.

The *declared strategic ambitions* are visible in the preamble and in Article 3 of the draft law. The draft positions adult education as a system enabling lifelong learning, personal and professional development, and adaptation to social and economic change. State policy is to support civic and cultural development, strengthen labour market competitiveness, expand access to compulsory secondary education for those who did not complete it, and broaden participation across all forms of adult learning. The draft also aligns itself with the European policy framework. The wartime and reconstruction context in which the law will operate adds further weight to these ambitions, even though it is not part of the draft's formal legislative history.

The *legal architecture* refers to the structural arrangements that determine whether those ambitions can be translated into operational reality. In other words, how the law positions itself within the broader legal order, how it distributes responsibility, how it links rights to financing, how it defines the relationship between the individual and the system, and how it handles prioritisation when demand exceeds capacity.

Clarity concerns the legal certainty produced by the text itself and whether hierarchy is unambiguous, delegation is bounded, responsibilities are differentiated, and procedural pathways are predictable. Clarity is however not the same as detail. An over-specified law can be just as unclear in practice as an under-specified one. *Sustainability* concerns whether the architecture can carry the system over time and under varying conditions, including changes of government, normal budgetary constraints, and shifts in the labour market and demographic context.

Together, the two qualifiers clarity and sustainability convert the guiding question into a structural test: does the draft law contain the legal-architectural elements that would allow its strategic ambitions to be realised in practice and maintained over time, or does it rely too heavily on future regulation and discretionary decisions to fill in essential elements? Chapters that follow will apply this test across the five analytical components in turn.

1.7 METHODOLOGICAL DELIMITATIONS

The primary sources consulted are the Ukrainian draft Law “On Adult Education,” the Law of Ukraine “On Education,” and the Law of Ukraine on Vocational Education. The Swedish reference framework draws on the Education Act (Skollagen, SFS 2010:800) and the Ordinance on Municipal Adult Education (Förordning om vuxenutbildning, SFS 2011:1108). The European Union regulatory framework relevant to the draft is treated as contextual material. Specific Council Recommendations and other EU instruments are referenced where they are explicitly incorporated in the draft or directly relevant to the structural questions examined.

The report does not seek to evaluate policy choices reflected in the draft, to propose an alternative legislative model, or to assess implementation capacity beyond what is observable from the legal text itself.

2. SWEDISH REFERENCE FRAMEWORK

This chapter outlines the Swedish legal framework for adult education as a background for the comparative analysis that follows.

2.1 ARCHITECTURE AND REGULATORY LOGIC

The formal Swedish educational system is governed primarily by a single comprehensive statute, the Education Act (Skollagen). The Act covers the entire publicly financed education system from pre-school through upper secondary school and adult education but does not cover higher education. Adult education is thus not a separate legislative domain in Sweden.

Below the Act, the Government issues ordinances (förrordningar) that operationalise the statutory provisions of Education Act. For adult education, the principal secondary legislation is the Ordinance on Municipal Adult Education (Förordning om vuxenutbildning). Additional regulation comes from binding regulations and non-binding general guidance issued by the National Agency for Education (Skolverket). This creates a three-tier norm hierarchy where the Act establishes objectives, rights, obligations and institutional structures, the ordinance specifies operational procedure, and the Agency provides detailed technical guidance.

The constitutional framework sets the outer limits for the educational system. In Sweden, this framework is defined in the fundamental laws (constitutional laws), primarily the Instrument of Government (Regeringsformen), which establishes the right to education and regulates the division of competences between Parliament, the Government and municipalities. Municipalities enjoy constitutionally protected self-governance, but the Education Act imposes binding obligations on them that override municipal discretion in specified areas. In practice, this means that while municipalities are responsible for organising and providing education, they must do so within a nationally defined legal framework that sets objectives, rights and regulatory requirements. The relationship between municipal autonomy and state steering is therefore a recurring structural feature of Swedish education governance.

Adult education in Sweden comprises three institutional models that coexist: municipal adult education (Komvux), higher vocational education (Yrkeshögskolan) — both which operates within the formal qualifications system — and non-formal adult education (Folkbildning), which operates outside it. There is also an element of vocational education for unemployed which is not considered as a part of the adult education system.

This differentiation reflects a deliberate legislative choice. Municipal adult education is associated with binding statutory obligations and enforceable individual rights. Higher vocational education is organised around approval-based access to state financing, under its own act and ordinance. Non-formal education is regulated through a grant-based ordinance that provides funding without imposing detailed regulatory control. The selection of legal framework therefore signals the extent and nature of the state's commitment in each case. Coherence across the system is maintained primarily through clearly defined institutional boundaries. Each form of adult education operates within a distinct institutional and legal scope, with clearly defined tasks and responsibilities. This reduces overlap between different parts of the system and limits the risk of conflicting regulatory requirements. Alignment with the broader education system is achieved primarily through these institutional mandates, rather than through detailed cross-referencing between different laws. In this respect, system coherence is maintained through a clear separation of roles, as much as through formal integration.

2.2 INSTITUTIONAL ARCHITECTURE

At the national level, responsibilities are distributed across four principal agencies, each with clearly defined competences. The National Agency for Education (Skolverket) develops curricula, sets standards and provides guidance. Supervisory powers are assigned to the Schools Inspectorate (Skolinspektionen), which conducts independent inspections, processes complaints and applies sanctions where necessary. The separation between norm-setting and enforcement is explicit and forms part of the system's accountability structure. Both agencies operate across all school forms, including adult education.

The National Council of Adult Education (Folkbildningsrådet) performs a different role. It allocates state grants to non-formal education providers while operating at arm's length from the government. This arrangement reflects the principle of self-governance within folkbildning, while still maintaining a connection to public funding objectives.

The Agency for Higher Vocational Education (Myndigheten för yrkeshögskolan) combines approval, financing and supervision within a single institutional framework. In practice, the Agency selects programmes and providers through a competitive approval process, deciding which applications are granted the right to operate. It then allocates public funding to the approved programmes and oversees their quality and compliance. This model reflects the programme-based structure of higher vocational education, where entry into the system depends on the competitive approval of individual programmes rather than on a general statutory entitlement.

2.3 OBJECTIVES, STRUCTURE AND OUTCOMES OF SWEDISH ADULT EDUCATION

Swedish adult education is organised as a multi-part system that combines formal, non-formal and vocationally oriented provision. Across these different forms, the system serves several parallel purposes. It functions as a mechanism for lifelong learning and a "second chance" for individuals who have not completed earlier stages of education, while also acting as a tool for labour market policy and competence provision.

A defining feature of the system is that these purposes are pursued through institutionally differentiated forms of provision. Municipal adult education, higher vocational education and non-formal adult education each operate within their own frameworks, with different target groups, funding models and outcome structures.

2.3.1 MUNICIPAL ADULT EDUCATION

Municipal adult education (komvux) constitutes the core of the formal adult education system. It provides both general and vocational education at compulsory and upper secondary levels, as well as Swedish for immigrants. The system is largely publicly funded and free of charge for participants, with access to student financial support. For parts of the provision, particularly at compulsory and preparatory levels, there is an individual entitlement to education. Outcomes in municipal adult education are formal and nationally recognised. They include grades aligned with the national grading system, eligibility for further studies, and in some cases vocational qualifications or licences. The structure is aligned with the European Qualifications Framework (EQF), with compulsory level education corresponding to lower levels and upper secondary education to EQF level 4. Swedish for immigrants forms a sub-system, focused on language acquisition, with its own grading structure and typically positioned at EQF levels 2–3.

Vocational adult education within the municipal system is more directly oriented towards labour market needs. It operates under a specific regulatory framework and is financed through targeted national grants combined with municipal co-funding. The programmes lead to grades and vocational diplomas and are generally positioned at upper secondary level.

The scale of municipal adult education is substantial. It is provided in all 290 municipalities, through approximately 719 adult education units, and reaches around 368,000 participants annually. Public expenditure is in the order of EUR 1 billion per year.

2.3.2 HIGHER VOCATIONAL EDUCATION

Higher vocational education (yrkeshögskolan) represents a separate, post-secondary track focused exclusively on labour market relevance. Its primary purpose is competence provision in specific occupational fields. Programmes lead to nationally recognised diplomas at EQF levels 5 and 6. Admission is selective and provision is limited to approved programmes, reflecting a model in which supply is directly linked to assessed labour market demand.

The system operates at a smaller scale than municipal adult education but remains a significant component of the overall adult learning structure, with approximately 87,000 students annually and an annual budget of around EUR 350 million.

2.3.3 NON-FORMAL ADULT EDUCATION

Non-formal adult education (folkbildning) forms a third pillar of the system. It operates mostly outside the formal qualifications framework and is organised through folk high schools and study associations. Its primary purposes are to promote democratic participation, personal development and lifelong learning.

Folk high schools offer both general and specialised courses. General courses provide an alternative pathway to compulsory and upper secondary education and may confer eligibility for further studies through a system of study assessment and certification rather than formal grades. Specialised courses cover areas such as vocational training, culture, media and social professions, and may in some cases have recognition in higher vocational contexts.

The folk high school sector includes approximately 155 institutions and around 87,000 participants annually, with public funding in the order of EUR 500 million per year.

Study associations organise study circles and a wide range of short courses. These activities typically do not lead to formal qualifications but play a significant role in broad-based adult participation in learning. The sector consists of eight national study associations with regional and local branches and receives approximately EUR 260 million in annual public funding.

3. OVERVIEW OF THE DRAFT LAW ON ADULT EDUCATION

Ukrainian education legislation is based on framework “Law on Education” adopted on September 5, 2017 (law Nr 2145-VIII), and on a series of sectoral laws regulating different subsectors of education, from preschool education, through secondary and professional education, up to pre-higher and higher education. This is a permanent feature of the legal framework, and it functioned also under the previous “Law on Education” of May 23, 1991, which the current law of 2017 replaced.

Since current “Law on Education” introduced significant changes to the principles and terminology of Ukrainian education, all the sectoral laws also had to be correspondingly adjusted. Indeed, many amendments to these laws were already included in the law of September 5, 2017, making up over 40% of all its contents (30 out of 70 pages). Among others, a new law on secondary education was adopted on January 16, 2020 (replacing old law from 1999), a new law on preschool education was adopted on June 6, 2024 (replacing old law from 2001), and a new law on professional education was adopted on August 21, 2025 (replacing old law from 1998). Some sectoral education laws were not replaced, for example “Law on Out-of-school Education” of June 22, 2000, although of course since 2017 they were amended multiple times.

In this dynamically changing legal context, regulation of adult education is something of an anomaly, because there was no dedicated sectoral law. Indeed, the old law on education did not even mention adult education. In contrast, the current law in article 18 clearly defines adult education as a part of overall education system and lists its components. Already in January 2018 the Ministry of Education and Science formed a working group to draft the law on adult education (order of MES Nr 30). The draft law was submitted to Verkhovna Rada on February 10, 2022, and was registered under the Nr 7039. Together with 13 supporting documents it is available on the website of Verkhovna Rada in the bill card folder (Картка законопроекту). As noted in the Clarification note to draft law (Пояснювальна записка), the legal basis for preparation of the draft law was Decree Nr 1106 of October 25, 2017 of the Cabinet of Ministers of Ukraine, setting the plan of implementation of an association agreement with EU. In other words, already the preparation of the draft law was a part of process of European integration. It is important to note that the draft law was registered just before the unprovoked Russian aggression of February 24, 2022.

The draft law was approved by Verkhovna Rada in the first reading on January 12, 2023, as a “basis for revised provisions” (Прийнято за основу із доопрацюванням положень). This means that substantive, not only editing changes to the draft text are allowed. However, the legislative process was halted until 2025, when the adoption of the “Law on Adult Education” became one of the conditions for further installments of EU budget support to Ukraine.

3.1 CONTEXT OF ADULT EDUCATION REFORM IN UKRAINE

The current legislative initiative does not represent an incremental adjustment to an existing system. The reform is positioned as system reconstruction, addressing a set of challenges that the existing legal framework was not designed to absorb. These challenges include war-driven disruption of the labour market, the demobilisation and reintegration of veterans, internal and cross-border displacement of Ukrainians, ongoing economic restructuring linked to EU accession, accelerated digitalisation, and the further decentralisation of public functions to territorial communities (hromadas).

The current institutional landscape for adult learning in Ukraine is heterogeneous. Provision is delivered through universities and higher education institutes, vocational training colleges, institutes of post-diploma education, employment centres, private training providers, and NGOs and donor-funded programmes. Financing reflects this heterogeneity. State and local budgets, donor-funded programmes, individual payments and tax instruments operate in parallel, without a universal entitlement system. The practical consequence is a system characterised by a high dependency on project-based financing.

It is against this background that the draft Law on Adult Education was prepared in 2022. The draft is conceived as a framework law and is positioned as part of the broader reconstruction strategy.

The reform is also embedded in Ukraine's European integration commitments. The EU-Ukraine Association Agreement of 2014, and in particular its Chapter 23 (Articles 430–436), commits Ukraine to promote European cooperation in education, including lifelong learning, and requires the alignment of the Ukrainian National Qualifications Framework with the European Qualifications Framework. Within this framework, the draft law explicitly draws on the Council Recommendation on Key Competences for Lifelong Learning (originally adopted in 2006 and replaced by the Council Recommendation of 22 May 2018), the 2017 Council Recommendation on the European Qualifications Framework for Lifelong Learning, and the 2012 Council Recommendation on the Validation of Non-Formal and Informal Learning. The latter is the basis on which Ukraine introduced validation procedures through the 2017 Law on Education and on which the draft law builds.

Beyond the instruments directly incorporated in the draft, the wider EU policy environment provides further reference points relevant to the design and benchmarking of national adult learning systems. These include the Council Resolution on a New European Agenda for Adult Learning 2021–2030, adopted on 29 November 2021, which sets a benchmark of at least 60 per cent annual participation in learning among adults aged 25–64 by 2030; the 2016 Council Recommendation on Upskilling Pathways; the 2020 Council Recommendation on VET and the accompanying Osnabrück Declaration; the 2022 Council Recommendation on a European approach to micro-credentials; the European Pillar of Social Rights (2017); and the Commission's European Skills Agenda (2020).

3.2 OBJECTIVES AND GUIDING PRINCIPLES

The draft law defines adult education as a system of educational measures and practical activities through which adults acquire knowledge, skills and competencies across formal, non-formal and informal learning. The objective is both personal and professional development, as well as adaptation to social and economic change.

More broadly, adult education is framed as a condition for effective cooperation among stakeholders in realising the individual's right to lifelong learning.

The law assigns the state a wide range of policy responsibilities, spanning both individual and societal dimensions. These include supporting intellectual, cultural and personal development, strengthening participation in civic life, improving labour market competitiveness, and enabling access to compulsory secondary education for those who have not completed it. It also promotes language acquisition, access to further education and retraining, and the general expansion of participation across all forms of adult learning.

State policy is to be conducted on the principles of the Law on Education, supplemented by adult-education-specific elements. These include lifelong personal development, employability, employer engagement in workplace learning, competitive provision, and the protection of the rights of participants.

The law guarantees every adult the right to quality and accessible education on a non-discriminatory basis. The list of protected grounds is extensive and includes age, gender, health status, disability, citizenship, language, social and financial status and prior criminal record. Restrictions are only permitted where explicitly provided by law. Adults with special educational needs are explicitly included, and providers are required to ensure accessibility.

3.3 SCOPE OF THE LAW

Article 6 of the law structures adult education into five components reflecting different functions within the system:

1. **Additional personally-oriented education** covers non-formal learning focused on individual interests, civic activity and personal well-being. Learners determine their own pace and objectives.
2. **Civic education** addresses democratic participation, media literacy, and national and cultural identity, including skills linked to the current context of armed conflict.
3. **Continuous professional development** focuses on employed persons and includes qualification upgrading, internships and sector-specific training. Upskilling programmes are generally classified as non-formal education unless otherwise specified.
4. **Compensatory education** provides a pathway for adults who have not completed compulsory secondary education.
5. **Formational education** enables adults to obtain new qualifications after a period outside formal study or when changing field.

The law applies across formal, non-formal and informal learning. Formal education is governed by sector-specific legislation. Non-formal education is largely provider-defined, while informal learning outcomes may be recognised within the formal system.

The law applies to all adults who have reached legal majority. Equal rights extend to refugees, stateless persons with permanent residence, and overseas Ukrainians with permanent residence status.

Workers undertaking formal adult education are entitled to educational leave or adjusted working arrangements.

3.4 INSTITUTIONAL FRAMEWORK

The adult education system also includes providers, participants, governing bodies and supporting institutions.

The law identifies multiple categories of providers, including formal institutions, postgraduate institutions, Adult Education Centres, enterprises, civil society organisations and individual entrepreneurs. Despite this diversity, providers are assigned equal rights and obligations regardless of ownership form.

The governance model operates across several levels. At the national level, the Cabinet of Ministers is responsible for policy formation and programme approval. The Ministry of Education provides analytical support, licensing and database management, while the labour ministry contributes to employment-related training policy. Supervision is carried out by the education quality authority through audits and oversight functions.

At the sub-national level, regional and local bodies implement policy, develop provider networks and allocate resources. Employers and trade unions participate in governance and labour market forecasting.

Quality assurance is divided into internal and external components. Internal systems are defined at provider level. External mechanisms include licensing for limited activities, institutional audits for publicly funded providers, and voluntary accreditation.

A share of non-formal provision falls outside mandatory quality assurance.

3.5 FINANCING STRUCTURE

Financing is drawn from state and local budgets as well as additional sources. At provider level, this includes fees, employer contributions, charitable funding and other lawful sources. The structure defines permissible sources but does not specify allocation proportions.

Public financing operates through two channels, baseline operational funding for state and municipal postgraduate institutions and adult education centres through their founders, and programme-based competitive financing under Article 41 part 4 for priority directions defined by the Cabinet of Ministers or local authorities. Neither channel is governed by a formula-based allocation model or a per-learner standard.

Professional development is primarily financed by employers, with individuals able to self-finance or access third-party funding. Where training is mandatory by law, public funding may apply.

The law identifies measures aimed at reducing financial barriers, including vouchers, learning accounts and subsidies. Their detailed design is left to subordinate regulation.

Under Article 41 part 7, the state annually finances the development and open publication of at least 100 educational programmes and corresponding training courses, restricted to additional personally oriented education and civic education.

3.6 TARGET GROUPS AND SPECIAL MEASURES

The law establishes a universal entitlement to adult education, complemented by differentiated measures. Adults without secondary education are supported through compensatory pathways. Adults seeking new qualifications may access concessional credit under certain conditions.

Registered unemployed persons are targeted through labour market programmes. Persons with special educational needs are supported through dedicated funding and accessibility measures.

Refugees and stateless persons with permanent residence enjoy equal rights.

The law does not establish statutory prioritisation criteria where demand exceeds available resources.

3.7 RELATIONSHIP TO THE GENERAL EDUCATION LAW

The draft law positions itself within a broader legislative framework anchored in the Constitution. It operates within the scope the Law on Education and alongside sector-specific laws. The draft law builds on the principles of the Law on Education and extends its framework to adult education.

The draft law protects provider autonomy, limiting restrictions from subordinate regulation and allowing independent decision-making within defined boundaries. It also introduces targeted amendments to several existing laws, including those governing local self-governance, out-of-school education and higher education.

For formal education components, the draft law defers to sector-specific legislation, focusing its own provisions on adult-specific dimensions such as non-formal education, governance and financing.

4. NORM HIERARCHY, LEGISLATIVE DESIGN AND SYSTEM COHERENCE

4.1 THE DRAFT LAW ON ADULT EDUCATION

The central question is whether the draft law provides a sufficiently clear and stable legislative foundation for the adult education system it aims to establish. In structural terms, this concerns the clarity of the law's core elements, including the allocation of responsibilities, the definition of key actors, the regulatory mechanisms, and the relationship to other parts of the legal system. Viewed in this light, the law appears only partially developed. The law defines the main components of adult education, formulates policy principles and introduces a general right of access. These elements are typical characteristics of a framework legislation. What is less clearly articulated in the draft law is how the framework is intended to operate within the broader legal system.

The position of the draft law in the legislative hierarchy is not explicitly defined. The overarching Law on Education is listed alongside other laws without clarification of its hierarchical role.

This is apparent from Article 2 part 1, which lists the Law on Education alongside a range of sector-specific laws, covering general secondary, out-of-school, vocational, higher and scientific activity, as well as employment and youth policy legislation, without indicating which law prevails in the event of conflict. It therefore remains unclear whether the draft law is intended to function as a *lex specialis* within that framework or as a parallel legislation. In areas where adult education overlaps with employment regulation, vocational education or higher education, the lack of hierarchy leaves the resolution of conflicts to interpretation. This risks to create uncertainty at the point of practice rather than at the level of formal design.

Article 2 also contains a clause stating that the rights of adult education providers, insofar as they define their autonomy, may not be restricted by other laws or normative acts, except by special laws. This formulation limits the extent to which general legislation can override the rights established in the law.

The problem is that this functions as an implicit conflict rule. It gives the provisions of this law a form of priority over other legislation, without clearly specifying how this priority is to be understood within the broader hierarchy of norms. It is unclear what qualifies as a "special law" and how conflicts between this law and other sectoral or framework legislation are to be resolved in practice. This may create legal uncertainty for both regulators and providers when different laws apply to the same activity.

The delegation model follows a similar pattern. The law assigns a significant role to subordinate regulation, which is consistent with the need for flexibility in implementation. At the same time, the provisions that delegate authority often do not specify the content or criteria that those measures are expected to address.

This places considerable weight on executive rulemaking. In practice, key aspects of the system will need to be shaped outside primary legislation, depending on how delegated powers are exercised and giving executive authority (the Ministry) excessive freedom to adopt secondary legislation. Article 18 part 2 establishes that recognition of non-formal and informal learning for the award of qualifications shall be carried out by educational institutions "in the manner established by the central executive authority for education," but does not define the criteria, timelines or conditions that this secondary legislation must reflect.

The Final and Transitional Provisions (Section XI) introduce a limited set of consequential amendments. These adjustments address specific points of connection between the new framework and existing legislation.

They are, however, restricted to education laws and do not extend to the broader regulatory environment within which adult education will operate in practice. Employment law, vocational education legislation and professional development frameworks remain unchanged. As a result, the adult education system will function within an existing regulatory environment that was not designed with the new framework in mind. Implementing actors will therefore need to resolve conflicts and gaps between overlapping legal frameworks in concrete situations, which limits the draft law's capacity to function as a fully integrating framework.

There is also an internal structural question concerning the scope of the law. The components it regulates differ substantially in their regulatory characteristics. Non-formal education and personal development activities operate under conditions that are not directly comparable to those governing formal qualification programmes. A uniform legislative approach may therefore produce uneven effects depending on the respective area. Some areas may be subject to unnecessary regulatory constraints, while others may lack sufficient structure to ensure consistency and quality.

4.2 COMPARISON: LAW ON VOCATIONAL EDUCATION

To start with, the Law on Vocational Education addresses the structural issues in a more explicit manner. It identifies the Law on Education as the overarching framework within which it operates, thereby establishing a clear point of reference for interpreting potential conflicts. This provides a stable hierarchical anchor for the system.

Delegation is also more tightly defined. Where authority is transferred to subordinate bodies, the law generally specifies the parameters within which those bodies are expected to act. This includes defined criteria for funding distribution and operational standards that secondary legislation must reflect. As a result, implementation retains flexibility while remaining anchored in primary legislation.

The primary text also contains operational elements that set measurable thresholds. These include workload limits, review intervals and defined audit conditions. Such provisions establish minimum standards that cannot be altered through subordinate regulation. Their inclusion offers the possibility to retain control over core system parameters at the statutory level.

The Final and Transitional Provisions further reinforce coherence. They amend related legislation in order to align terminology, institutional roles and regulatory scope with the new framework. This reduces the need for interpretation at the implementation stage and contributes to a more consistent regulatory environment.

4.3 SWEDISH REFERENCE

The Swedish framework illustrates a different way of structuring norm hierarchy. Rather than integrating all forms of adult education into a single law, it distributes them across different normative levels. The placement of each form reflects the degree of state commitment involved.

Municipal adult education is governed by binding legislation that establishes enforceable rights and obligations. Higher vocational education operates under a separate statute, combined with an approval-based model linked to state financing. Non-formal education is addressed through a grant ordinance that provides funding without detailed regulatory control. Each form of adult education is therefore associated with a specific type of legal framework.

Delegation within this system is defined in advance. Primary legislation identifies which matters may be regulated through secondary legislation and sets limits on their content. This means that delegation operates within a structured framework rather than as an open-ended transfer of authority. Operational flexibility is preserved, but the substantive commitments remain anchored in statute.

Coherence is maintained through clearly defined boundaries between the different forms. Each operates within its own scope, which reduces the likelihood of overlap and conflict. This approach demonstrates that system coherence can be achieved without relying on a single integrating law. It also shows that the choice of regulatory arrangements can serve as a means of signalling the nature and extent of state involvement.

4.4 STRUCTURAL REFLECTION

The draft law sets out an ambitious framework for adult education, but the supporting legal architecture remains incomplete. The absence of a clearly defined hierarchy, combined with broadly formulated delegation provisions and a lack of alignment with adjacent legislation, creates a situation in which much of the system's coherence will depend on implementation rather than on statutory design.

The comparison with the VET law indicates that a more explicit structuring of hierarchy and delegation is feasible within the Ukrainian legislative context. The Swedish framework, in turn, shows that coherence can also be achieved through differentiation and clearly defined boundaries rather than through comprehensive integration.

A more developed legislative structure would not necessarily reduce flexibility. It would instead provide clearer parameters within which flexibility can operate, for example by specifying which authorities are responsible for which functions, under what conditions providers may operate, and which elements may be regulated through secondary legislation. Within these parameters, flexibility could still be exercised in areas such as programme design, delivery formats or targeted funding measures. This would make the scope of discretion more predictable, thereby reducing uncertainty for both implementing actors and participants.

5. ALLOCATION OF RESPONSIBILITIES, GOVERNANCE AND REGULATORY BALANCE

5.1 THE DRAFT LAW ON ADULT EDUCATION

The issues identified at the level of norm hierarchy are reflected in the governance provisions. Where the legislative framework does not clearly establish normative precedence, similar ambiguity tends to arise in the allocation of institutional responsibility.

The draft law assigns functions to a range of central and sub-national actors. These include the Cabinet of Ministers, the central executive body in the field of education and science, the central executive body in the field of labour, and the central body responsible for quality assurance, each of which is assigned defined roles. The relationship between these actors, however, is not fully specified. In particular, the law does not clarify how responsibilities are coordinated between the central education and labour authorities, how conflicts of competence are to be resolved, or how functions are divided between national and sub-national levels in practice. Nor does it establish a mechanism for managing overlapping competences. Each provision is understandable when read on its own, but when viewed together, the interaction between these functions remains unclear. This is reflected in Article 26, which assigns governance responsibilities to multiple bodies “within their competences” without specifying how those competences interact or which body takes precedence where functions overlap. This may lead to fragmented implementation and uncertainty in accountability, particularly in situations where responsibilities intersect.

At the central level, this creates a structure in which multiple authorities operate within the same policy space without clear rules governing how their responsibilities interconnect. In practice, questions of precedence and coordination are likely to be resolved through administrative processes rather than through the statute itself.

The sub-national level presents an even more pronounced difficulty. Article 32 illustrates this. Regional administrations, city administrations and local self-government bodies are assigned broadly similar responsibilities, including network planning, access provision, quality monitoring and budget preparation. The law does not distinguish how these roles are distributed between the different tiers. It also does not indicate which level takes the lead where priorities differ. As a result, the allocation of responsibility is likely to depend on local arrangements, which may vary across regions.

Provider autonomy is defined in relatively broad terms. Article 2 allows providers to make decisions on issues not regulated by law. This extends autonomy beyond the usual framework of rule-bound discretion and contributes to the unclear boundary between provider autonomy and public oversight. Providers are granted significant discretion in relation to organisation, content and delivery. The external oversight framework is comparatively limited and relies largely on audit-based interventions, with licensing confined to specific categories of activity. The boundary between provider discretion and supervisory authority is not explicitly addressed. In practice, both providers and regulators may need to infer these limits from the interaction between different provisions.

The draft law does not require providers to establish internal governance structures. There is no provision mandating supervisory boards or similar bodies for larger institutions. Internal quality assurance is left to arrangements defined by the providers themselves. This approach may reflect the diversity of the sector, particularly the presence of non-formal providers. At the same time, it leaves a gap in the institutional accountability structure for providers delivering formal programmes.

Under Article 36 part 1, licensing is confined to two categories of activity, mandatory upskilling programmes and medical internship training. Most of the non-formal provision consequently falls outside mandatory external quality oversight. The restriction of licensing to a limited set of activities creates an asymmetry in regulatory control, where significant parts of the system operate without prior approval or verification of quality standards. This absence of ex ante control, that is, control exercised before activities begin, shifts the regulatory emphasis toward reactive rather than preventive oversight. Article 30 assigns the education quality authority audit functions in relation to publicly funded postgraduate institutions but does not establish a general supervisory mandate across the system.

5.2 COMPARISON: LAW ON VOCATIONAL EDUCATION

The Law on Vocational Education assigns distinct functions to different types of authorities at the sub-national level. Regional councils, state administrations and local councils are given clearly defined roles that reflect their respective positions within the administrative system. This allows responsibilities to be understood directly from the statutory text.

At the institutional level, the VET law introduces additional governance mechanisms. Public vocational institutions above a defined threshold are required to establish supervisory boards. These boards include representatives of founders and employers and are given defined responsibilities in relation to strategy, financing and programme development. This creates an internal layer of accountability that complements external supervision.

Coordination is handled through structured mechanisms. Regional Vocational Education Councils bring together public authorities, employers and institutions, providing a forum for planning and policy development. Supervisory and licensing responsibilities are also organised in a more integrated manner, with clearer lines of authority. The overall effect is a system in which roles and points of interaction are more explicitly defined.

5.3 SWEDISH REFERENCE

The Swedish framework illustrates a different but related principle. Governance clarity follows from the allocation of responsibility at the legislative level. Municipalities are assigned full legal and organisational responsibility for municipal adult education. This responsibility remains with the municipality even where provision is delivered by contracted private providers.

Because responsibility is clearly anchored, the accountability structure follows accordingly. The supervisory authority reviews compliance at the municipal level, and any corrective measures are directed at the municipality. Contractual arrangements with private educational organisations affect delivery but do not alter the underlying allocation of legal responsibility. The regulatory framework also specifies how responsibilities are distributed in operational terms. Secondary legislation defines admission procedures, prioritisation rules and validation processes in a binding manner. This reduces the scope for variation between municipalities in areas that directly affect participants.

5.4 STRUCTURAL REFLECTION

The governance provisions of the draft law identify the relevant actors and assign them functions, but they do not establish a fully articulated governance framework. The relationship between central authorities remains open, and the absence of coordination mechanisms leaves the interaction between overlapping mandates unresolved.

At the sub-national level, the lack of differentiation between tiers means that responsibility is likely to be shaped through practice rather than through law. This may allow for flexibility in implementation, but it also introduces variability and reduces predictability.

The interaction between provider autonomy and external oversight also raises an issue. Broad autonomy combined with limited supervision may be appropriate for parts of the adult education sector, particularly where non-formal provision dominates. For providers delivering formal education or operating at scale, however, the absence of clearly defined accountability structures may create uncertainty both for institutions and for supervisory bodies.

These governance questions are closely connected to the questions raised regarding norm hierarchy. Uncertainty in the legislative hierarchy contributes to uncertainty in institutional roles, particularly where different laws intersect. Clarifying the normative framework could therefore result in a more consistent allocation of responsibilities across the system.

6. FINANCING STRUCTURE AND SYSTEM SUSTAINABILITY

6.1 THE DRAFT LAW ON ADULT EDUCATION

The draft law outlines the sources from which adult education may be financed, including state and local budgets, employer contributions, fees and other lawful sources. This provides a general picture of where funding may originate. It does not, however, establish how these resources are to be mobilised, allocated or sustained over time.

The most significant issue arises in the relationship between declared rights and the mechanisms intended to support them. The right to adult education is formulated in legally binding terms, but the provisions concerning financing are framed in more unspecific language. Article 41 part 1 lists permissible sources of funding — state and local budgets, and other lawful sources — without establishing minimum levels, allocation principles or the conditions under which public resources must be made available. The state's role is framed in Article 41 part 5 as taking "measures to economically stimulate" adult education and "promote the reduction of financial barriers," formulations that are aspirational rather than obligatory. The state is expected to promote access and reduce financial barriers, but the law does not specify the level of funding required or the conditions under which it must be provided. In practice, the scope of the right is therefore likely to depend on annual budget decisions taken by multiple actors.

The absence of binding financing obligations raises the question whether the right to adult education is enforceable in practice, or whether it remains contingent on discretionary budgetary decisions.

The absence of a defined financing model reinforces this uncertainty. Article 41 part 4 introduces the principal public financing mechanism. Priority directions are defined by the Cabinet of Ministers or local authorities for a given period, and providers are selected competitively against these priorities. This shapes the distribution of resources across subject areas and programme types but does not establish criteria for allocating resources between individual applicants. Furthermore, the law does not introduce a minimum expenditure standard, a per-learner allocation or any formula for distributing resources across the system. Local authorities retain discretion over funding volumes within their respective competences. This creates space for adaptation to local conditions, but it also means that provision may vary depending on fiscal capacity and political priorities. Without a mechanism to coordinate or balance these differences, variation across regions is likely.

The mixed-financing approach introduces additional considerations. Article 42 lists permissible sources of provider income. Public providers may receive income from fees, employers and other sources alongside public funding. The law does not address how these funding streams interact in legal terms. It remains unclear, for example, whether partially publicly funded provision is subject to the same obligations as fully publicly funded programmes, or how participants are affected if a co-financed programme is discontinued. These questions have practical implications for both providers and participants and are not resolved in the current text.

6.2 COMPARISON: LAW ON VOCATIONAL EDUCATION

The Law on Vocational Education establishes a quantitative reference point for system capacity by linking funding levels to a defined share of secondary school graduates. This creates a measurable relationship between policy objectives and resource allocation.

In addition, the law introduces a formula-based mechanism for distributing funding between institutions. The criteria to be included in this formula are specified at the level of primary legislation. They include factors related to student characteristics, labour market conditions and outcomes such as graduate employment. Secondary legislation are used to operationalise the formula, but the key parameters are set in statute. This approach limits variation in how resources are allocated and ensures that distribution reflects defined policy considerations.

6.3 SWEDISH REFERENCE

The Swedish framework is based on a different sequencing of obligations and financing. Municipalities are required by law to provide adult education. This obligation exists independently of budget decisions and therefore shapes how resources must be allocated rather than the other way around. The primary source of funding is municipal tax revenue, which means that the statutory obligation to provide education is matched by a corresponding revenue base at the local level. This is supplemented by state grants operating at two levels. A general grant, distributed through the municipal equalisation system, supports municipalities in meeting their statutory obligations regardless of differences in local fiscal capacity. Targeted grants are used to steer how provision is organised, often by linking financial support to specific conditions such as alignment with labour market needs. In this way, financing operates both as a resource and as a steering mechanism.

6.4 STRUCTURAL REFLECTION

The financing provisions in the draft law describe a set of possible funding sources but do not yet form a fully developed financing framework. The relationship between the right to adult education and the resources required to support it remains indirect. In practical terms, the extent of provision is likely to be determined through budgetary processes rather than through statutory guarantees.

The absence of defined allocation principles or minimum funding parameters leaves the distribution of resources largely open. This may allow flexibility in responding to local conditions, but it also reduces predictability and may lead to uneven provision across the system.

Clarifying the level of public commitment and the principles governing resource allocation would strengthen the link between the law's objectives and its practical implementation. This does not require a rigid financing model. It does require clearer parameters within which funding decisions are made, so that the relationship between rights and resources is more transparent.

7. LEGAL STATUS OF PARTICIPANTS

7.1 THE DRAFT LAW ON ADULT EDUCATION

The draft law presents the individual as the holder of a right to adult education. This right is formulated in broad terms and supported by comprehensive non-discrimination provisions. It is positioned within the wider category of constitutionally grounded rights. At the same time, the conditions under which this right can be exercised are not fully specified in the text.

Article 4 part 1 provides that the right to adult education includes "accessibility of adult education in cases defined by this Law", but it does not clearly identify which components of the system give an enforceable claim. Nor does it distinguish between situations where access depends on available provision and those where an individual may assert a right regardless of capacity constraints. This leaves the legal character of a right open to interpretation in concrete cases.

Article 21 part 2 sets out an extensive catalogue of participant rights. It includes entitlements related to educational quality, access to services and participation in the educational process. The connection between these rights and corresponding institutional obligations is not consistently defined. In several instances, the law states a right without specifying the conditions under which it may be invoked or the mechanisms through which it can be enforced.

A further issue arises from the role of contractual arrangements (Article 21 part 2). Admission and participation are, in part, governed by agreements between individuals and providers. The use of contractual arrangements introduces a structural shift from public-law entitlement to provider-defined conditions, which may result in variation in the practical scope of rights across the system.

The absence of procedural guarantees is particularly significant. The draft law does not establish a clear pathway for individuals to challenge decisions related to admission or recognition. It does not designate a body responsible for handling complaints, nor does it define procedures for administrative appeal or review. In the absence of such mechanisms, the practical ability of individuals to rely on the rights set out in the law remains uncertain and limits the enforceability of participant rights.

The recognition of non-formal and informal learning follows a similar pattern. The law identifies responsible bodies and outlines the general structure of recognition processes. Detailed procedures, however, are left to subordinate regulation. Article 18(2) delegates the procedure for recognising non-formal and informal learning outcomes to the central education authority, while Article 18 part 3 assigns recognition for professional qualifications to qualification centres under a Cabinet of Ministers procedure.

Article 19 establishes the personal educational portfolio as a voluntary tool managed through the national education database, but does not specify its legal status in recognition procedures or the weight that institutions are required to give it.

7.2 COMPARISON: LAW ON VOCATIONAL EDUCATION

The Law on Vocational Education addresses several of these issues through more explicit procedural provisions. Admission rules are required to include defined elements, such as documentation requirements, timelines and selection criteria. They also provide for an appeal mechanism, which establishes a clear route for individuals to challenge decisions.

The recognition of prior learning is framed as a statutory right with defined consequences. Individuals who complete publicly funded programmes may obtain an independent assessment of their qualifications. The law also establishes principles governing the assessment process, including fairness and objectivity. These provisions create a more clearly defined relationship between participants and institutions at specific points in the educational process.

7.3 SWEDISH REFERENCE

The Swedish framework distinguishes between different forms of participation in a way that clarifies the legal position of individuals. Within municipal adult education, access for eligible participants is treated as a statutory right. Decisions on admission are subject to review, and individuals are entitled to receive reasoned decisions. Supervisory authorities may intervene where municipalities fail to meet their obligations.

Non-formal adult education operates under a different model. Participation is not based on a statutory right, and admission is determined by the providers themselves. Public funding is provided without establishing a corresponding individual entitlement. The distinction between these two approaches is reflected in the legal framework and is visible in how rights and procedures are structured.

7.4 STRUCTURAL REFLECTION

The draft law establishes a general right to adult education but does not yet define how that right operates in practice. The relationship between individuals and institutions is shaped partly by public law and partly by contractual arrangements.

The balance between these elements is not clearly articulated in the text. The absence of procedural mechanisms affects the practical significance of the rights that are set out in the law. Without defined processes for challenging decisions or appeal, the scope of those rights remains uncertain. This applies both to admission and to recognition of prior learning.

Clarifying which elements of the system give rise to enforceable claims, and establishing basic procedural guarantees for key decision points, would strengthen the legal position of participants. Such clarification would not require a change in the overall structure of the law, but it would make the relationship between rights and implementation more predictable.

8. PRIORITISATION UNDER LIMITED RESOURCES

8.1 THE DRAFT LAW ON ADULT EDUCATION

Article 4 part 2 of the draft law establishes a general right to adult education that applies irrespective of personal characteristics such as age, health status, place of residence or social position. It does not introduce differentiated access categories or identify specific priority groups. Nor does it provide a statutory mechanism for ranking applicants where demand exceeds available capacity.

As a principle, this universal approach is consistent. At the same time, the context in which the law will operate raises questions about how access will function in practice. The system is expected to address conditions shaped by armed conflict, internal displacement and labour market disruption. These circumstances create uneven patterns of need across the adult population. The objectives set out in the law include employment support, labour market integration and social reintegration. These aims imply a focus on groups whose access to education has been disrupted or whose need for retraining is particularly acute. The legal framework does not translate this orientation into operational criteria for admission. Where capacity is limited, the absence of such criteria leaves allocation decisions to administrative practice.

The financing model introduces a form of prioritisation at the level of programme design. The only statutory mechanism that operates at the level of resource allocation is Article 41 part 4, under which public authorities may define priority directions for programme financing. This steers the overall distribution of provision across subject areas but does not determine how individual applicants are selected when places are limited. Admission decisions are consequently left to provider or local authority level without a common statutory framework, which may allow for flexibility but also increases the likelihood of variation between regions and institutions.

8.2 COMPARISON: LAW ON VOCATIONAL EDUCATION

The Law on Vocational Education identifies specific categories of individuals who are entitled to access publicly funded retraining, including internally displaced persons, veterans and individuals who are unable to continue in their previous occupation for health reasons. These provisions create defined entitlements within the broader framework of vocational education.

At the admission stage, additional priority mechanisms apply. Certain groups benefit from preferential access to publicly funded places, based on criteria established through reference to existing social protection legislation. This creates a structure in which general access is combined with targeted measures for defined populations.

8.3 SWEDISH REFERENCE

The Swedish framework combines a general right of access with a needs-based approach to prioritisation. Where demand exceeds available capacity, applicants are assessed according to criteria linked to educational background and labour market situation. Priority is given to those with the greatest need for education.

These criteria are set out in binding secondary legislation, which translates the general principle into operational rules. The approach does not rely on predefined population categories. Instead, it focuses on individual circumstances, which allows the system to respond to varying patterns of need while maintaining a consistent decision framework.

8.4 STRUCTURAL REFLECTION

The universal structure of the draft law provides a clear normative foundation, but it does not in itself determine how limited resources should be allocated. In situations where demand exceeds supply, the absence of a statutory prioritisation mechanism leaves a key operational question unresolved.

The programme-based financing model influences the overall distribution of provision but does not address selection at the level of individual participants. Without common criteria, admission decisions are likely to depend on local practices, which may differ across the system.

Introducing a framework for prioritisation would involve specifying how access is to be managed under conditions of scarcity. This could take different forms, including statutory criteria, needs-based assessment models or delegated rules anchored in primary legislation. What is required is a clearer connection between the law's objectives and the mechanisms through which access is actually determined.

CONCLUDING REMARKS

POSSIBLE FACTORS BEHIND THE APPEARANCE OF THE DRAFT LAW

One possible explanation for the structural features identified in this report concerns the nature of the legislative task itself. Adult education in Ukraine does not represent a new policy field. The different components — formal qualification programmes, non-formal education, professional development, vocational retraining — have each developed within their own institutional frameworks. The components are also very heterogeneous. Bringing these under a single framework law may have created pressures that are not immediately visible in the text, like accommodating existing arrangements rather than design from first principles, and to reorder relationships between actors who already operate within established routines. It does suggest that the perceived weaknesses are not primarily a matter of drafting choices, but may reflect the structural difficulty of the consolidation task itself.

This consolidation challenge might also have been affected by external timing pressures. The obligation to implement relevant commitments under the EU–Ukraine Association Agreement has been in place since 2018. In such a context, there may be incentives to prioritise the timely adoption of a legislative framework, alongside the development of its detailed operational features.

The draft law's shortcomings are therefore not primarily perceived as the result of inadequate drafting. They reflect the structural difficulty of the task and the conditions under which it was undertaken. This distinction matters for how improvements should be approached. The question is not how to correct errors but how to complete a framework that was always going to require more than one legislative cycle to fully develop.

CONSISTENT CONSEQUENCES

Taken together, the findings suggest that the draft law does not yet provide a sufficiently clear or sustainable legal architecture to support its declared ambitions. The reasons for this are structural rather than incidental and they point to a single underlying deficit rather than a set of isolated weaknesses.

The five analytical criteria examined in Chapters 6 to 10 — norm hierarchy, governance, financing, participant rights and prioritisation — each reveal distinct weaknesses. At the same time, together they reflect a single underlying structural feature rather than five separate problems.

Throughout the draft law, delegation to subordinate regulation is used as the primary mechanism for resolving difficult questions. This is a well-known legislative technique, but in the Draft law it is applied without the structural conditions that make delegation function effectively. Delegation provisions do not specify what the secondary legislation are expected to contain. They do not set parameters within which executive rulemaking must remain. And they are not accompanied by procedural guarantees that establish minimum standards regardless of how delegated powers are exercised.

The consequence is the same across all five criteria. Norm hierarchy is unclear because the boundaries of delegation are undrawn. Governance is fragmented because coordination responsibilities are left to administrative practice. Financing commitments are aspirational because the relationship between rights and resources is deferred rather than defined.

Participant rights are legally uncertain because no procedural floor is established. Prioritisation is absent because the law delegates the question without providing a framework for answering it.

This pattern has an important implication. The draft law is not a weak framework that needs strengthening in five different directions. It is a framework with a single structural deficit, open delegation without parameters, that manifests across all dimensions of the system. Addressing that deficit in a targeted way would therefore have systemic effects. The Law on Vocational Education offers a partial point of reference here. Operating within a more delimited and structurally homogeneous field, it can specify delegation criteria, thresholds and review intervals at the level of primary legislation, and to establish defined admission rules, appeal mechanisms and assessment standards. The comparison is not straightforward. The greater regulatory complexity of adult education may make equivalent precision harder to achieve within a single law. Nevertheless, the VET law illustrates that structured delegation and procedural guarantees are achievable within the Ukrainian legislative context and suggests that the direction of travel is feasible, even if the path is more demanding.

POSSIBLE MEASURES

There are areas of improvement that stand out as both structurally significant and practically achievable without requiring substantive revision of the law's objectives or institutional arrangements.

One is restructuring delegation provisions. The draft law should specify, for each area where authority is delegated to subordinate regulation, what that regulation is expected to address and within what parameters it must remain. The Swedish legislative tradition offers a useful model here. Rather than granting open authority to regulate a field, primary legislation identifies the specific matters to be addressed and the limits within which they may be resolved. This does not constrain flexibility. It ensures that flexibility operates within a defined space rather than in the absence of one. The result is that secondary legislation become operationalisations of statutory commitments rather than substitutes for them.

Another is establishing procedural minimum requirements. Not all questions can or should be resolved in primary legislation. But some should not be left entirely to subordinate regulation or administrative practice. The legal relationship between individuals and the system requires a minimum procedural floor established in statute. This means designating a body responsible for handling complaints, establishing a right to reasoned decisions at key decision points, and providing a clear pathway for administrative review.

Lastly the Final and Transitional Provisions should be strengthened. The current text requires the Cabinet of Ministers to bring secondary legislation into conformity with the law within one year of its entry into force. This is a standard provision, but in its current form it is without operational content. It specifies no measures, assigns no specific responsibilities and establishes no sequencing. The provision should be expanded to identify the principal secondary legislation that the law requires, assign responsibility for each, and establish defined timelines. This would transform a general obligation into a legislative work programme and would make it possible to assess whether implementation is proceeding as intended.

LONG TERM STRUCTURAL OBSERVATIONS

The adult education system the draft law seeks to establish is structurally heterogeneous. Effective governance of such a system requires not only clear rules but a coordinating function capable of maintaining coherence across its different components as the system evolves.

Where subordinate regulation is delegated primarily to government level, coherence can depend on coordination across multiple ministries with overlapping mandates. Where delegation reaches further, to regional authorities or individual providers, the risk of divergent implementation increases.

In a comparable reform context, the Swedish approach would be to establish a dedicated agency with a defined mandate covering the entire field. This agency would be responsible for developing subordinate regulation, providing guidance, monitoring implementation and reporting to government. This institutional arrangement allows structured delegation to function as intended, because there is a single identifiable body with both the authority and the capacity to receive it. No such body currently appears to exist in Ukraine for adult education. The question of whether one should be established falls outside the immediate scope of this review. It is, however, a structural observation that follows directly from the analysis.

A second, more fundamental observation, concerns the scope of the law itself. The heterogeneity of the field, the very feature that makes the current draft law difficult to operationalise, raises the question of whether coherence is best achieved through a single comprehensive law or through differentiated regulation aimed at the distinct logic of each component.

The Swedish framework can serve as a relevant example here. Municipal adult education, higher vocational education and non-formal education each operate under distinct regulatory arrangements. Coherence across the system is maintained through clearly defined institutional boundaries rather than through integration into a single law.

Whether Ukraine should move in this direction is a policy question that depends on factors beyond the scope of this review. What the analysis does suggest is that if the current framework proves difficult to function as a single law, the option of more differentiated regulation could be on the table as the system matures.

ANNEX. UKRAINIAN ADULT EDUCATION AND EUROPEAN INTEGRATION (LILIA HRYNEVYCH, TARAS DANKO)

ADULT EDUCATION AND EUROPEAN ASPIRATIONS OF UKRAINE

1. UKRAINE'S EUROPEAN INTEGRATION AS A STRATEGIC AND EXISTENTIAL IMPERATIVE

Ukraine's European integration has acquired not only political, but also existential significance in the context of Russia's full-scale aggression and the long-term reconstruction of the country. EU accession is increasingly understood as a strategic framework for institutional resilience, economic modernization, labour market integration, and democratic consolidation. In this context, the development of an adult education system aligned with European lifelong learning approaches becomes an important component of Ukraine's broader transformation agenda.

The European Union promotes lifelong learning as a key instrument for strengthening economic competitiveness, social cohesion, labour mobility, and individual adaptability in conditions of technological and structural change. Relevant EU-level instruments and recommendations — including validation of non-formal and informal learning, micro-credentials, individual learning opportunities, and competence-based approaches — increasingly shape the emerging European adult learning architecture.

For Ukraine, alignment with these approaches is important not primarily as a formal obligation, but as a practical condition for participation in the European educational, economic, and labour market space. In this regard, the draft Law on Adult Education may be viewed as part of the broader institutional adaptation process accompanying Ukraine's EU integration trajectory.

2. ONGOING EUROPEAN INTEGRATION PROCESSES IN THE UKRAINIAN EDUCATION SYSTEM

Since the signing of the EU-Ukraine Association Agreement (AA) in 2014, Ukraine has undertaken a broad range of reforms aimed at gradual integration into the European educational, scientific, and labour market space. Education cooperation is addressed within the framework of the Association Agreement, including provisions related to higher education modernization, vocational education and training (VET), lifelong learning, academic mobility, and institutional cooperation with the European Union.

Progress in implementing these commitments has been regularly reflected in the Ukraine's AA implementation reports. In the area of education, these documents note Ukraine's continued alignment with European approaches in higher education governance, qualifications policy, quality assurance, digitalisation, and competence-based learning. Particular attention has been paid to the modernization of higher education governance structures, increased institutional autonomy, development of external quality assurance mechanisms, and integration into the European Higher Education Area (EHEA).

One of the key directions of integration has been the development of the National Qualifications Framework (NQF) in alignment with the European Qualifications Framework (EQF). Ukraine has undertaken steps to modernize qualifications governance, improve transparency of learning outcomes, and strengthen links between education and labour market needs. This process includes increased attention to competence-based approaches, modularisation of learning, and recognition of qualifications acquired in different educational settings.

Ukraine has also significantly deepened participation in European educational cooperation mechanisms and programmes. Ukrainian institutions actively participate in Erasmus+, eTwinning, Horizon Europe, and other EU-supported initiatives. These instruments facilitate institutional networking, mobility, curriculum modernization, and exposure to European educational governance practices. Participation in these programmes has accelerated the diffusion of EU approaches related to lifelong learning, quality assurance, inclusiveness, and digital transformation.

In the area of vocational education and adult learning, increasing attention has been paid to the recognition of non-formal and informal learning, labour market relevance of educational programmes, and flexible learning pathways. Ukrainian policy discussions increasingly reference European approaches to validation of prior learning, micro-credentials, and lifelong upskilling. While many of these instruments are not yet fully operationalized within the Ukrainian system, they already influence the broader reform agenda and policy discourse.

The war has additionally accelerated the practical importance of adult learning policies. Large-scale displacement, economic restructuring, military demobilization in the future, and rapid technological change create significant demand for reskilling, reintegration, and flexible educational opportunities for adults. In this context, adult education is increasingly viewed not only as a social policy domain, but also as an instrument of economic recovery, labour market adaptation, and social cohesion. This corresponds with broader European policy priorities related to resilience, employability, and lifelong learning.

At the governance level, Ukraine has also undertaken reforms aimed at strengthening quality assurance and institutional accountability. The development of external quality assurance mechanisms, increased use of digital educational tools, and gradual adaptation to European standards of transparency and comparability contribute to the long-term convergence of Ukrainian educational governance with European approaches.

Against this background, the draft Law on Adult Education should be viewed as part of a broader and ongoing process of institutional adaptation rather than as an isolated legislative initiative. Its significance lies not only in regulating adult education as a separate domain, but also in creating conditions for the future integration of Ukrainian adult learning policies and mechanisms into the evolving European lifelong learning architecture.

3. CONTEMPORARY CHALLENGES SHAPING ADULT EDUCATION POLICY IN UKRAINE

The development of adult education policy in Ukraine takes place under exceptional social, economic, and security conditions shaped by Russia's full-scale invasion launched in 2022. The war has significantly intensified the importance of adult learning as an instrument of resilience, labour market adaptation, social reintegration, and post-war recovery. Under these conditions, adult education policy increasingly extends beyond the traditional educational sphere and becomes connected with broader challenges of economic reconstruction, demographic change, social cohesion, and institutional stability.

One of the central challenges concerns large-scale displacement and labour market disruption. Millions of Ukrainians have been internally displaced or forced to migrate abroad, while many sectors of the economy have experienced structural transformation due to destruction of infrastructure, security risks, and changes in economic geography. This creates substantial demand for reskilling, professional reorientation, and flexible learning opportunities adapted to rapidly changing labour market conditions. Adult education therefore becomes closely linked to economic recovery and workforce reconstruction.

Another major challenge is the future reintegration of veterans and military personnel into civilian life. Ukraine will face the long-term task of supporting large groups of people with military experience who may require professional retraining, recognition of competences acquired during military service, psychological adaptation, and reintegration into the labour market. This creates demand for flexible and accessible adult learning mechanisms capable of supporting diverse educational trajectories and individual needs.

The war has also accelerated technological and institutional transformation processes. Rapid digitalisation, growth of remote work and online learning, and increased interaction with European institutions and labour markets require more flexible educational pathways and stronger lifelong learning capacities. At the same time, educational institutions themselves operate under conditions of resource constraints, demographic pressure, infrastructure damage, and continuous uncertainty.

In this context, adult education in Ukraine increasingly performs multiple functions simultaneously: economic, social, institutional, and even security-related. It is expected not only to support employability and competitiveness, but also to facilitate social resilience, inclusion, reintegration, and recovery. This multidimensional role significantly increases the complexity of governance and requires coordination between education policy, labour market policy, social policy, regional development, and reconstruction strategies.

These challenges also explain the growing relevance of European lifelong learning approaches for Ukraine. Instruments related to validation of prior learning, flexible learning pathways, modularisation, competence-based education, and access to adult learning opportunities become increasingly important in conditions where individuals may need repeated professional transitions throughout their lives. Consequently, the draft Law on Adult Education emerges within a context where adult learning is no longer a peripheral educational issue, but an important component of Ukraine's broader societal transformation and European integration trajectory.

4. EU ADULT EDUCATION INSTRUMENTS AND THEIR RELEVANCE FOR UKRAINE

European adult education policy increasingly relies on a set of interconnected instruments aimed at supporting lifelong learning, labour mobility, flexibility of educational pathways, and recognition of competences acquired in different contexts. Among the most relevant instruments for the Ukrainian context are the European Qualifications Framework (EQF), validation of non-formal and informal learning (VNFIL), micro-credentials, individual learning accounts (ILA), and the framework of key competences for lifelong learning. These instruments differ in their level of institutional maturity within the European Union and in the degree to which they are currently reflected in the Ukrainian educational system and the draft Law on Adult Education.

Among these instruments, the areas where Ukraine has already undertaken the most substantial steps are the National Qualifications Framework aligned with the EQF and the recognition of non-formal and informal learning. Ukraine has developed a qualifications framework compatible with broader European approaches and has gradually introduced competence-based and learning-outcomes-based logic into educational regulation. Similarly, the recognition of non-formal and informal learning is already referenced within Ukrainian educational legislation and reflected in the draft Law on Adult Education.

At the same time, both instruments remain only partially operationalized in relation to adult education specifically. In the case of validation of non-formal and informal learning, the draft law recognises the principle itself, but institutional responsibilities, procedures, and implementation mechanisms remain under-specified. This reflects the broader framework nature of the draft law.

At the current stage of system development, excessive proceduralisation and centralisation of validation mechanisms could create significant bureaucratic barriers for adult education providers and reduce the flexibility required in rapidly changing labour market conditions. Therefore, a gradual and delegated approach to implementation may be more appropriate.

A similar situation exists regarding the qualifications framework. While the general alignment logic with European approaches exists indirectly through the Ukrainian qualifications system, adult education-specific operational mechanisms remain insufficiently developed. In practice, many forms of adult learning and professional development may eventually require more explicit linkage to qualification levels and competence frameworks. However, at the current stage, introducing highly formalised requirements for all adult learning activities could overburden the emerging system and negatively affect its adaptability.

In contrast, instruments such as micro-credentials and Individual Learning Accounts are currently largely absent from the draft law. Nevertheless, they may become increasingly relevant for Ukraine in the future, particularly in the context of flexible reskilling, modular learning pathways, labour mobility, and post-war reintegration. Micro-credentials potentially offer a mechanism for recognising smaller units of certified learning outcomes, while Individual Learning Accounts may create more individualised and flexible approaches to financing adult learning opportunities.

While the draft law does not establish mechanisms corresponding to Individual Learning Accounts in the EU policy sense (Council Recommendation of 16 June 2022 on individual learning accounts), it already introduces the concept of individual educational portfolios (Article 19), defined as records documenting learning outcomes acquired through formal, non-formal, and informal education, including continuous professional development. Although individual educational portfolios are not equivalent to Individual Learning Accounts mechanisms, they may create an important institutional and technical foundation for the future development of learner-centred adult learning infrastructure, including the recording, accumulation, and traceability of learning outcomes. In this regard, the portfolio mechanism may be viewed as a potentially important enabling element for future lifelong learning governance tools.

At the same time, Individual Learning Accounts in the European context primarily function not as educational registries, but as learner-centred financial and governance instruments providing individuals with access to training entitlements and flexible learning opportunities. European approaches in this area remain highly heterogeneous, with different countries developing different models depending on institutional traditions, labour market structures, and financing systems. Consequently, further discussion of possible Ukrainian approaches to learner-centred financing mechanisms may require gradual development following the implementation of individual educational portfolios and related digital infrastructure. In this regard, future operationalisation of such mechanisms could potentially be coordinated by the Cabinet of Ministers of Ukraine, with the participation of the Ministry of Education and Science of Ukraine and other relevant stakeholders, within the broader framework of powers and coordination mechanisms envisaged by the draft law (Article 26).

While micro-credentials are not explicitly mentioned in the draft Law on Adult Education, the content of Article 17 regulating documents in adult education substantially overlaps with the logic of the Council Recommendation of 16 June 2022 on a European approach to micro-credentials for lifelong learning and employability (2022/C 243/02). In this regard, consideration could be given to introducing the term “micro-credentials” into the draft law in line with the approach reflected in the Recommendation, as well as to further alignment of Article 17 with the European standard elements used to describe micro-credentials.

Such alignment could support future compatibility of Ukrainian adult education documentation practices with broader European lifelong learning approaches while preserving flexibility and proportionality within the Ukrainian adult education system.

At the same time, the introduction of such instruments into the Ukrainian system would require careful institutional design. In particular, implementation should avoid creating excessively centralised accreditation and recognition procedures for small-scale educational activities, as this could significantly reduce system flexibility and create administrative burdens incompatible with the dynamic nature of adult learning. Instead, future development may require balanced mechanisms combining transparency, trust, provider responsibility, and gradual development of digital registries and recognition tools.

The framework of key competences for lifelong learning also remains largely absent from the draft law. However, given its broad and non-binding policy character even within the EU context, its direct incorporation into legislation may not be necessary at the current stage. Rather, it may serve as a longer-term policy reference point for curriculum development, competence-based approaches, and strategic orientation of the adult learning system.

At the current stage, the issue is therefore not necessarily the immediate incorporation of all EU-level instruments into Ukrainian legislation in fully operational form, but rather the need to explicitly consider their future role during the further development and finalisation of the Law on Adult Education. In particular, instruments such as micro-credentials and individual learning accounts may become increasingly relevant in the context of flexible reskilling, labour mobility, modular educational pathways, and post-war reintegration. Their potential implications for governance, financing, quality assurance, certification, and digital infrastructure therefore merit further policy discussion within the Ukrainian context.

In addition, the gradual development of adult education monitoring and data systems may become increasingly important in the process of Ukraine's integration into the broader European lifelong learning space. European adult learning policy relies not only on regulatory instruments, but also on statistical monitoring, participation indicators, and evidence-based policy evaluation. In the long term, this may require the development of more integrated digital registries and information systems capable of recording participation in adult learning activities and documenting certified learning outcomes. Consequently, future discussions around instruments such as micro-credentials and individual learning accounts may also need to address the technical and institutional infrastructure necessary for transparency, monitoring, and policy coordination, while avoiding excessive bureaucratization of the adult education system.

5. CONCLUDING REMARKS

The draft Law on Adult Education represents an important opportunity for Ukraine to take further practical steps towards integration into the evolving European lifelong learning and adult education space. Its significance lies not only in regulating adult education as a separate policy domain, but also in creating a framework for the gradual development of institutional mechanisms, flexible learning pathways, and governance approaches compatible with broader European trends. In the context of global technological, economic, and demographic challenges, the development of a modern adult education system is increasingly connected with competitiveness, resilience, innovation capacity, and long-term economic welfare. In this regard, Ukraine's integration into the European educational and lifelong learning space should be viewed not only as a process of adaptation, but also as a potential contribution to strengthening Europe's broader human capital, labour market flexibility, and societal resilience.

Consequently, the strategic purpose of the Law on Adult Education may be understood as the creation of a dynamic and adaptable adult learning system capable of supporting Ukraine's long-term European integration trajectory and responding effectively to the societal, economic, and technological challenges accompanying this process.



Polaris

Supporting Multilevel
Governance in Ukraine

2026